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DOXSEA

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Sukhapinda et al.

Serial No.: 09/358,321

Filed: July 21, 1999

For: ANTIBODY-MEDIATED DOWN-REGULATION OF PLANT
PROTEINS

Docket No.: 50447

Group 1635

Examiner: not assigned

Assistant Commissioner for Patents
Washington, D.C. 20231

AMENDMENT A

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice to Comply mailed August 13, 1999, and the Notice to File Missing Parts mailed August 16, 1999, please amend the above identified application as follows:

Delete the original Sequence Listing and enter the enclosed substitute paper copy of the Sequence Listing into the Specification. Enclosed herewith is a substitute computer readable form for the Sequence Listing. The substitute paper copy and computer readable form are identical. Neither includes new matter.

Also enclosed is the declaration and a fee authorization form for the \$130.00 surcharge and a petition and fee authorization for a one month extension of time. Copies of the Notice to Comply and Notice to File Missing Parts are also enclosed.

Respectfully submitted,



Donald R. Stuart
Attorney for Applicants
Registration No. 28,479
Telephone: 317-337-4816

Nov 12, 1999
Dow AgroSciences LLC
Patent Department
9330 Zionsville Road
Indianapolis, Indiana 46268

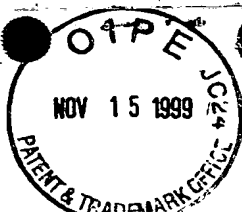
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D. C. 20231 on the date shown below

Typed name of person signing certification: Marcia R. Jansen

November 12, 1999
Date

By Marcia R. Jansen
Signature



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARK
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/358,321 07/21/99 SUKHAPINDA K 50.447

0262/0813

KENNETH L LOERTSCHER
DOW AGROSCIENCES LLC
9330 ZIONSVILLE ROAD
INDIANAPOLIS, IN 46268

NOT ASSIGNED

1635
DATE MAILED:

08/13/99

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application fails to comply with the requirements of 37 CFR 1.821 - 1.825.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ 7. OTHER: _____

APPLICANT MUST PROVIDE:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing."
- ☐ An initial or substitute paper copy of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE CONTACT:

- ☐ For Rules Interpretation, call (703) 308-1123.
- ☐ For CRF submission help, call (703) 308-4212.
- ☐ For PatentIn software help, call (703) 308-6856.

HARRISON T-6
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

**FEE AUTHORIZATION LETTER**ATTORNEY'S DOCKET NO.
50,447

SERIAL NO.	FILING DATE	EXAMINER	GROUP ART UNIT
09/358,321	July 21, 1999	Not Assigned	1635

IN RE APPLICATION OF: Sukhapinda et al.FOR: ANTIBODY-MEDIATED DOWN-REGULATION OF PLANT PROTEINS
TO THE ASSISTANT COMMISSIONER FOR PATENTS:☒ Applicant(s) petition(s) for an extension of time under 37 CFR 1.136 to file the accompanying☒ Response within one month of original date due date (\$110.00)☐ Response within two months of original date due date (\$380.00)☐ Response within three months of original date due date (\$870.00)☐ Response within four months of original date due date (\$1,360.00)☐ The accompanying papers include amended claims. The fee has been calculated as follows:**CLAIMS AS AMENDED**

(1)	(2) CLAIMS REMAINING AFTER AMENDMENT	(3)	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) NO. OF EXTRA CLAIMS PRESENT	(6) RATE	(7) ADDITIONAL FEE
TOTAL CLAIMS	*	MINUS	**		\$18.00	\$.00
INDEP. CLAIMS	*	MINUS	***		\$78.00	\$.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$.00	

* If the entry in column 2 is less than the entry in column 4, write "0" in column 5.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

☒ The following other fees are incurred by the accompanying papers.☐ Transmitted herewith is an Information Disclosure Statement under 37 CFR 1.97(c), for which the fee under 37 CFR 1.17(p) is \$240.00.☒ Transmitted herewith is the Declaration under 37 CFR 1.27 for which the fee under 37 CFR 1.16(e) is \$130.00☒ Please charge **Deposit Account No. 04-1529** in the name of Dow AgroSciences LLC in the amount of **\$240.00**. **Two copies of this sheet are enclosed.**☒ The Commissioner is hereby authorized to charge any additional filing fees which may be required by the accompanying application or credit any overpayment to Deposit Account No. 04-1529.**Dow AgroSciences LLC**
Patent Section
9330 Zionsville Road
Indianapolis, Indiana 46268-1054
November 12, 1999
Donald R. Stuart
Agent for applicant(s)
Registration No. 28,479
Phone No.: (317) 337-4816**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231 on date appearing below.

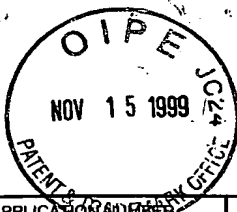
November 12, 1999
DateBy Marcia R. Jansen
Signature

09358321

11/17/1999 RMDHAWE 0000026 041529

110.00 CH

02 FC:115



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

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09/358,321 07/21/99 SUKHAPINDA K 50.447

0262/0816

KENNETH L. LOERTSCHER
DOW AGROSCIENCES LLC
9330 ZIONSVILLE ROAD
INDIANAPOLIS IN 46268

NOT ASSIGNED

1635
DATE MAILED:

08/16/99

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 130.00.

- ☐ 1. The statutory basic filing fee is:
☐ missing.
☐ insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. The following additional claims fees are due:
\$ _____ for _____ total claims over 20.
\$ _____ for _____ independent claims over 3.
\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:
☒ is missing or unsigned.

☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

- ☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

H. Harrison T-6

Customer Service Center
Initial Patent Examination Division (703) 308-1202

11/17/1999 09358321 041529 01FC:105 130.00 CH